



City of Seattle

Edward B. Murray, Mayor

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT

Application Number: 3015154

Applicant Name: Robert Humble of Hybrid Architects for James Potter of Sorento Holdings, Inc.

Address of Proposal: 1414 E. Yesler Way

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 5-story structure containing 4 congregate residences (containing 159 rooms), 2 live-work units (total 750 sq. ft.) and 1,147 sq. ft. of commercial space with storage for 42 bicycles. No parking proposed. Existing structure to be demolished.

The following Master Use Permit component is required:

SEPA-Environmental Determination (Seattle Municipal Code 25.05)

DPD SEPA DETERMINATION:

Determination of Non-Significance

- ☒ No mitigating conditions of approval are imposed.
- ☐ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

Site:

Site Zone: NC2-40

Nearby Zones: (North) LR3
(South) NC2-40
(East) LR3
(West) NC2-40

Lot Area: 16,801 square feet



Current Development:

The site includes one commercial building and a surface parking lot. Existing vehicular access to the site is via a curb cut from E. Yesler Way.

Surrounding Development and Neighborhood Character:

The surrounding development is a mix of uses and age of structures. Nearby development includes a mix of multi-family residential developments, institutional cultural uses that are designated historic landmarks (Langston Hughes Cultural Arts Center and Washington Hall), other early 20th century multi-family and commercial buildings, and an elementary school.

Recreational opportunities include a public park approximately three blocks to the east and the elementary school playfields one block to the south.

The area offers frequent transit service, including nearby bus routes on E. Yesler Way and 12th Ave, as well as the First Hill Streetcar line ½ block to the southwest (scheduled to begin service late 2014 or early 2015).

I. SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 2, 2013. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for many short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts, and conditions to sufficiently mitigate impacts where necessary, is found below.

Public Comment:

The project included two public notices, and the final public comment period ended on January 8, 2014. Comments were received, and are available with the Master Use Permit application 3015154 file documents on DPD's website.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted.

Height, Bulk & Scale

The project is below the thresholds for Design Review listed in SMC 23.41.004, therefore the proposal did not go through the Design Review process.

The proposed development is located on the edge of a zone change from NC2-40 to LR3 to the north and east. Pursuant to SEPA Policy 25.05.675.G.2.b lists a number of measures to mitigate the adverse impacts of substantially incompatible height, bulk, and scale.

The proposed development has incorporated a number of these mitigating measures in the design of the proposal, including a setback from the alley at the north property line to transition to the LR3 zoning across the alley, modulation and articulation of the building mass, and use of colors

and materials to emphasize the articulation. The proposed measures effectively mitigate the transition in height, bulk, and scale to the adjacent LR3 zoned properties.

Additional SEPA Mitigation of height, bulk and scale is not warranted.

Historic Preservation

The existing structure on site is more than 50 years old. Seattle Department of Neighborhoods reviewed the existing structure and determined it was not likely to be eligible for historic landmark designation (Landmarks Preservation Board letter, reference number LPB 360/14). No further mitigation is warranted for historic preservation impacts to the existing structures on site.

Parking and Traffic

As part of the environmental checklist documentation, the project submitted a Traffic and Parking Analysis (1414 East Yesler Way Congregate Residences, by TENW, dated February 5, 2014, and a correction notice response with Parking Utilization Results dated July 29, 2014).

The Traffic and Parking Analysis and subsequent responses noted that the peak parking demand for this development is 16 vehicles. No parking spaces are proposed with the development. The Parking Analysis and subsequent responses included a parking utilization study, which showed a parking utilization rate of 65% with an average availability of 92 on-street parking stalls within 400 feet of the development site. Therefore, the anticipated parking demand could result in some impacts to on-street parking in the immediate vicinity, but the impact would be minimal and result in on-street parking utilization of less than 85%.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts for portions of urban villages within 1,320 feet of a street with frequent transit service. This site is located in the 23rd & Union-Jackson Residential Urban Village and is located within 1,320 feet of a frequent transit service. Therefore, there is no SEPA authority available to mitigate residential parking impacts for this development.

The anticipated demand for parking from the proposed commercial spaces (1,147 square feet) is anticipated to be minimal and would not result in significant impacts to on-street parking, based on the information from the parking utilization study.

The Traffic Impact Analysis and correction response indicated that the project is expected to generate a net total of 120 daily vehicle trips, with 9 net new AM Peak Hour trips and 11 net new PM Peak Hour trips. DPD's Transportation Planner has reviewed the Traffic and Parking Analysis and determined that the additional peak hour trips do not contribute significant adverse impacts requiring mitigation.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. East Yesler Way is a SEPA Scenic Route. Many of the views listed in SMC 25.05.675 are not visible from this site, with the exception of the Downtown skyline. Smith Tower (a designated historic landmark) is visible from E. Yesler Way. The applicant has demonstrated that the proposed development is located in a manner that maintains a view of downtown and Smith Tower along E. Yesler Way.

No further mitigation is warranted for impacts to the SEPA Scenic Route.

Trees and Vegetation

There are a number of trees and existing vegetation on site. The applicant provided an arborist report demonstrating that none of the trees on site are Exceptional. All trees are proposed for removal, with a landscape plan for replacement trees and vegetation. No further mitigation is warranted for impacts to Trees and Vegetation.

DETERMINATION OF NONSIGNIFICANCE

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

SEPA - CONDITIONS OF APPROVAL

None.

Signature: _____ (signature on file) Date: December 4, 2014
Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor
Department of Planning and Development

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.

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